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SH 2461587 / FO 2461589

17) Sergeant John Finney (Homicide)

18) Deputy Brent Parriott (IAB)

19) Deputy Brent Parriott (Homicide)

20) Deputy Tyler Steinriede (Homicide)

21) Deputy Tyler Blanchard (IAB)

22) Deputy Tyler Blanchard (Homicide)

23) Deputy Karla Farias (Homicide)

24) Deputy Ayub Manjra (IAB)

25) Custody Assistant Karen Johnson (IAB)

26) Custody Assistant Karen Johnson (Homicide)

27) Law Enforcement Technician Catherine Brown (IAB)

28) Law Enforcement Technician Catherine Brown (Homicide)

29) Detective Roberto Solorio (IAB)

30) Detective Roberto Solorio (Homicide)

31) Deputy Nicholas Fernandez (IAB)

32) Deputy Nicholas Fernandez (Homicide)

33) Deputy [redacted] (IAB)

34) Deputy [redacted] (Homicide)

35) Suspect James Kalaaukahi (Homicide)

Exhibits

A – One (1) CD containing a scanned copy of the homicide investigation book

B – Memorandum from the Los Angeles County District Attorney's Office Justice System Integrity Division to Captain Kent Wegener, dated September 18, 2019

C – Custody Assistant [redacted] Taser Activation Log, Taser Serial #X130056KT

D – (1) CD containing radio traffic

E – Deputy [redacted] Taser Activation Log, Taser Serial #X00-252797

F – Suspect James Kalaaukahi's Medical Reports

G – Two (2) DVDs containing surveillance footage from Lakewood Station Jail

Miscellaneous Documents

- Suspect James Kalaaukahi's Consolidated Criminal History Report
- Lakewood Station Incident History Report, Incident #LKD18222-0151
- Lakewood Station Incident History Report, Incident #LKD18222-0157
- August 10, 2018, Lakewood Station AM Shift In-service
- August 10, 2018, Lakewood Station PM Shift In-service
- (18) Administrative Rights Force/Shooting Investigation Forms
- Executive Department State of California – Executive Order N-40-20
- Post Training Records

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 018-17610-1321-054		Date: 08/10/18	Time: 1300
Location: Lakewood Station Jail		City or Station: Lakewood	
Bureau/Station/Facility: Lakewood Station		Admin. Investigation: ○ YES ◉ NO	
Type of Force: Taser, Control Holds, Firearms			
Incident Category: ○1 ○2 ◉3	Deputy Injury: ◉ YES ○ NO	Suspect Injury ◉ YES ○ NO	
☐ Call ☒ Observation ☐ Detail		☐ Foot Pursuit ☐ Vehicle Pursuit	
IAB Notified: ◉YES ○ NO	Person Notified: Lieutenant Minh Dinh	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle I. [redacted]	Rank DSG	
Sex: ◉ M ○ F	Race: W	Height: 510	Weight: 165	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lakewood Station		Work Assignment (Unit #, Module, etc.): 132D			
Individual Force Used: Taser		◉ Directed ○ Rescue ○ Medical Assist		Individual Category ○1 ◉2 ○3	
☐ Injured ☒ Treated ☐ Admitted		Facility: Long Beach Memorial Hospital		Coroner Case #	

E_

Employee #	Last Name	First Name	Middle I.	Rank	
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM; ○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):			
Individual Force Used:		○ Directed ○ Rescue ○ Medical Assist		Individual Category ○1 ○2 ○3	
☐ Injured ☐ Treated ☐ Admitted		Facility:		Coroner Case #	

E_

Employee #	Last Name	First Name	Middle I.	Rank	
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM; ○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):			
Individual Force Used:		○ Directed ○ Rescue ○ Medical Assist		Individual Category ○1 ○2 ○3	
☐ Injured ☐ Treated ☐ Admitted		Facility:		Coroner Case #	

On Duty Supervisor ☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Finney	John		SGT	YES ◉ NO ○	YES ◉ NO ○

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Dang	Luan	V	SGT	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Grall	David	M	LT

[signature] 6/10/2020

Watch Commander / Supervising Lieutenant's **Signature**: Date Copy Provided to Employee by: [redacted] Emp #:

WILLIAM JAEGER [signature] 6/18/20

Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 8 - 1 7 6 1 0 - 1 3 2 1 - 0 5 4

Suspect Information

S 1

Last Name: Kalaaukahi | First Name: James | Middle Name: Keoni | Armed? Select

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: A | Age: 28 | Height: 510 | Weight: 260 | D.O.B: 06/04/91 | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 5390752 | Primary Charge Code: 245.3 PC | Secondary Charge Code: 209(a) PC | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | Name: | Unit: | Phone #:

Hospital Admission? ☒ | Rec'd Treatment At: Long Beach Memorial | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Doctor Joseph Kamil | Address: 2865 Atlantic Ave, Long Beach, CA | Phone #: (562) 933-2000

Under Influence: (●) YES ( ) NO | Substance: CNS Stimulant | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 8/11/18 | Time: 0100 | ☒ Audiotape: | ☐ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

018 - 17610 - 1321 - 054

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Badali	Joseph	A

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood	WC	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Spracher	Robert	E

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood	WD	○ EM ◉ Day ○ PM	○ Regular ◉ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Valencia	Pedro	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Norwalk	OSS DB	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

018 - 17610 - 1321 - 054

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Cervantes	Lawrence	A

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood		○ EM ○ Day ○ PM	○ Regular ○ OT ◉ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Suarez	Pablo	S

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood	132D	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Sloan	Stephanie	M

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	132R	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

0 1 8 - 1 7 6 1 0 - 1 3 2 1 - 0 5 4

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Finney	John	
Unit of Assignment: Lakewood Station	**Work Assignment (Unit #, Module, etc.):** 132S	**Shift:** ( ) EM ( ) Day (•) PM	( ) Regular (•) OT ( ) Off Duty
[redacted]	Parriott	Brent	A
Unit of Assignment: Lakewood Station	**Work Assignment (Unit #, Module, etc.):** 133T2	**Shift:** ( ) EM (•) Day ( ) PM	(•) Regular ( ) OT ( ) Off Duty
[redacted]	Blanchard	Tyler	H
Unit of Assignment: Lakewood Station	**Work Assignment (Unit #, Module, etc.):** 132W1	**Shift:** ( ) EM ( ) Day (•) PM	(•) Regular ( ) OT ( ) Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	**City**	**Zip Code**	**Phone #1**	**Phone #2**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Phone #1**	**Phone #2**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Phone #1**	**Phone #2**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Phone #1**	**Phone #2**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Phone #1**	**Phone #2**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Phone #1**	**Phone #2**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Phone #1**	**Phone #2**
Last Name	**First Name**	**Middle Name**	**Age**	**D.O.B.**
Street Address	**City**	**Zip Code**	**Phone #1**	**Phone #2**

☐ Additional Witness

Supervisor's Report on Use of Force

EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

0 1 8 - 1 7 6 1 0 - 1 3 2 1 - 0 1 3

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Johnson	Karen	M

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	Jailer	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Solorio	Roberto	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	DB	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Fernandez	Nicholas	D

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Lakewood Station	135A	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force

018 - 17610 - 1321 - 013

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
James Kalaaukahi	S#1	[redacted]	E#1	HR	NN	
[redacted]	E#1	James Kalaaukahi	S#1	TR	PW	BK



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

JACKIE LACEY • District Attorney
JOSEPH P. ESPOSITO • Chief Deputy District Attorney
VICTORIA L. ADAMS • Assistant District Attorney

SCOTT K. GOODWIN • Director

September 18, 2019

Captain Kent Wegener
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Officer Involved Shooting of James Kalaaukahi
J.S.I.D. File #18-0339
L.A.S.D. File #018-17610-1321-054

Dear Captain Wegener:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 10, 2018, non-fatal shooting of James Kalaaukahi by members of the Los Angeles County Sheriff's Department. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

JACKIE LACEY
District Attorney

By

SHANNON PRESBY
Head Deputy District Attorney
Justice System Integrity Division

c: Detective Roberto Solorio, #[redacted]
Deputy Nicholas Fernandez, #[redacted]

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 974-3888
Fax: (213) 626-5125
WEBSITE: http://da.lacounty.gov

MEMORANDUM

TO: CAPTAIN KENT WEGENER
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Officer Involved Shooting of James Kalaaukahi
J.S.I.D. File #18-0339
L.A.S.D. File #018-17610-1321-054

DATE: September 18, 2019

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 10, 2018, non-fatal shooting of James Kalaaukahi by Los Angeles County Sheriff's Department (LASD) Detective Roberto Solorio and Deputy Nicholas Fernandez. It is our conclusion that Solorio and Fernandez acted in lawful defense of another.

The District Attorney's Command Center was notified of the shooting on August 10, 2018, at approximately 2:00 p.m. The District Attorney Response Team responded and was given a briefing, a walk-through of the scene and reviewed video surveillance of the incident.

The following analysis is based on reports submitted to this office by Sergeant Chaffey Shepherd and Detective Jonathan Bailey, LASD, Homicide Bureau. Detective Solorio and Deputy Fernandez provided voluntary statements which were considered as part of this analysis.

FACTUAL ANALYSIS

On August 10, 2018, at approximately 10:15 a.m., James Kalaaukahi was arrested by LASD deputies for a felony violation of Vehicle Code section 10851(a), taking a vehicle without the owner's consent. Kalaaukahi was transported to the LASD Lakewood Sheriff station located at 5130 Clark Avenue in the City of Lakewood. Kalaaukahi was booked into the Lakewood station jail.

[redacted] has been a custody assistant with LASD for over 18 years. On August 10, 2018, [redacted] was working at the Lakewood station jail where she has worked since March 2005. [redacted] was wearing a uniform that has LASD markings, a duty belt with pepper spray and handcuffs and a leg holster holding a LASD issued Taser. The holster is attached to her belt with Velcro and strapped around her left leg.

[redacted] duties include fingerprinting newly arrested inmates. [redacted] uses a Live Scan machine to take an inmate's fingerprints. Live Scan is an inkless, electronic fingerprinting system which takes digital fingerprints and uploads them to a database accessible by multiple law enforcement agencies. The Live Scan machine is located next to cell 133 which was occupied by Kalaaukahi after his arrest.



At approximately 1:00 p.m., [redacted] prepared to fingerprint Kalaaukahi. Kalaaukahi had not been disruptive since arriving at the jail and appeared cooperative. Had Kalaaukahi been uncooperative, [redacted] would have requested that a deputy be present during fingerprinting.[1]

[redacted] went to Kalaaukahi's cell and advised him that she was going to fingerprint him. [redacted] opened the cell door and asked Kalaaukahi to exit. He complied. Kalaaukahi walked with [redacted] to the Live Scan machine. [redacted] began fingerprinting Kalaaukahi's right hand. The next thing [redacted] recalled was being on the ground. [redacted] realized Kalaaukahi had sucker punched her in the face. She felt excruciating pain to her head. Kalaaukahi was a large man and she could not fight him alone.[2] [redacted] only instinct was to get to the panic button located in the jail. [redacted] believed she was in a fight for her life and needed to alert deputies inside the station.

[1] The other custody assistant on duty had momentarily left the jail to obtain bond paperwork at the station lobby.
[2] Kalaaukahi is 5'10" and weighed 260 pounds. [redacted] is approximately 5'0" and 110 pounds.



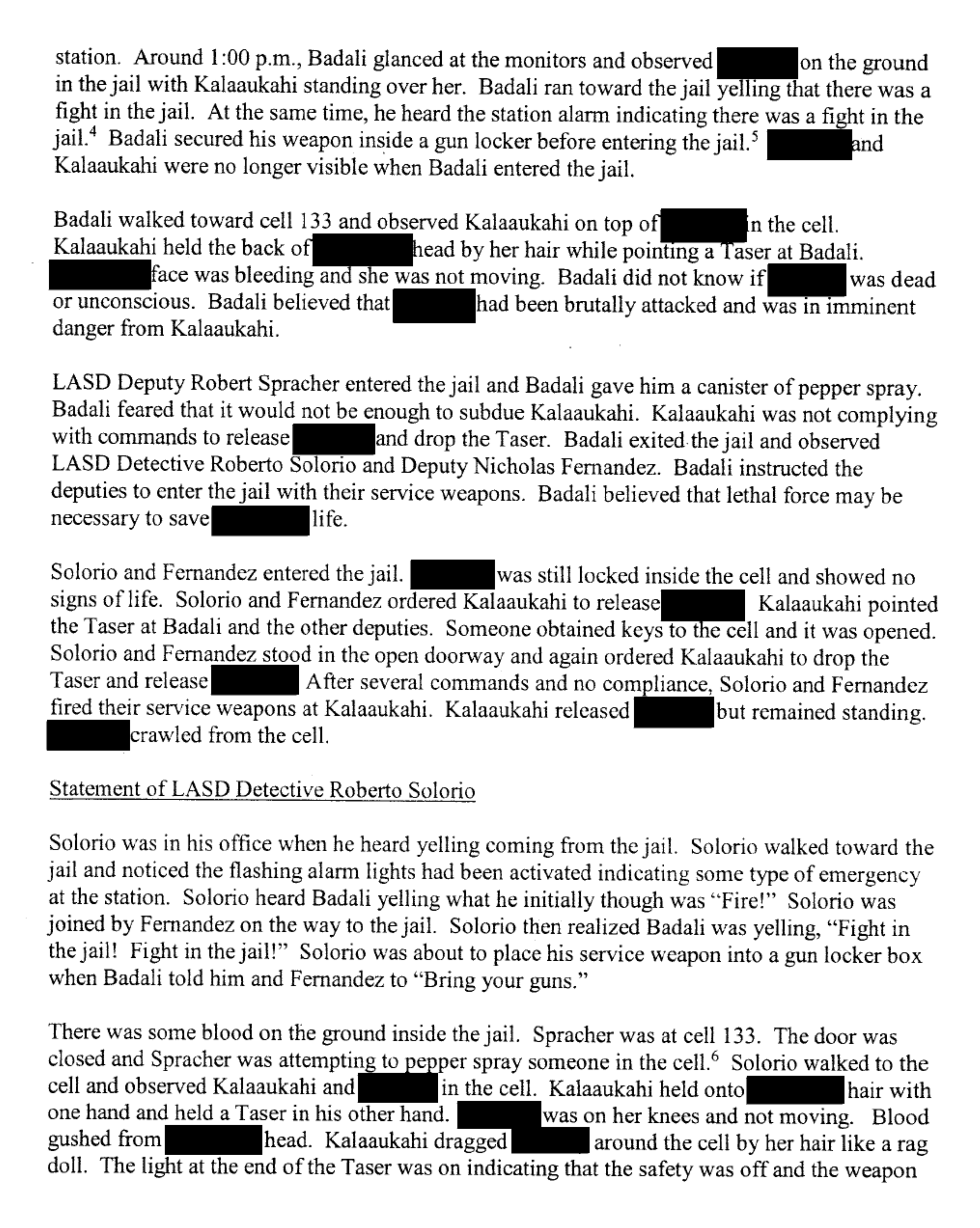
[redacted] crawled on her hands and knees to the panic button. [redacted] went to her feet and touched the button. She felt wobbly and unsteady and was unsure if the alarm had been activated. As [redacted] hit the button a second time, she felt herself being pulled back.

The next thing [redacted] recalled was lying on her back on the ground. She had no idea how she got there. Kalaaukahi dragged [redacted] along the floor by her hair and she lost consciousness again. When [redacted] regained consciousness, she was inside cell 133. Kalaaukahi said, "Give me your keys." Kalaaukahi asked for the keys a second time. [redacted] informed Kalaaukahi that they were locked in the cell.[3] At that time, [redacted] observed her Taser in Kalaaukahi's hand. [redacted] blacked out again. She awakened to someone calling her name. [redacted] opened her eyes and saw that the cell door was open. Deputies were telling her to crawl from the cell toward them. [redacted] crawled from the cell and someone carried her into the hallway. [redacted] was unaware that there had been a shooting.

Statement of LASD Lieutenant Joseph Badali

On August 10, 2018, Badali was the day shift watch commander. The watch commander's office has a computer monitor displaying live feeds from cameras positioned throughout the

[3] The cell door will lock automatically if the locking mechanism is manually turned to a specific position by a key when the door is opened. [redacted] turns the key to the self-locking position virtually every time she opens a cell door.



station. Around 1:00 p.m., Badali glanced at the monitors and observed [redacted] on the ground in the jail with Kalaaukahi standing over her. Badali ran toward the jail yelling that there was a fight in the jail. At the same time, he heard the station alarm indicating there was a fight in the jail.[4] Badali secured his weapon inside a gun locker before entering the jail.[5] [redacted] and Kalaaukahi were no longer visible when Badali entered the jail.

Badali walked toward cell 133 and observed Kalaaukahi on top of [redacted] in the cell. Kalaaukahi held the back of [redacted] head by her hair while pointing a Taser at Badali. [redacted] face was bleeding and she was not moving. Badali did not know if [redacted] was dead or unconscious. Badali believed that [redacted] had been brutally attacked and was in imminent danger from Kalaaukahi.

LASD Deputy Robert Spracher entered the jail and Badali gave him a canister of pepper spray. Badali feared that it would not be enough to subdue Kalaaukahi. Kalaaukahi was not complying with commands to release [redacted] and drop the Taser. Badali exited the jail and observed LASD Detective Roberto Solorio and Deputy Nicholas Fernandez. Badali instructed the deputies to enter the jail with their service weapons. Badali believed that lethal force may be necessary to save [redacted] life.

Solorio and Fernandez entered the jail. [redacted] was still locked inside the cell and showed no signs of life. Solorio and Fernandez ordered Kalaaukahi to release [redacted] Kalaaukahi pointed the Taser at Badali and the other deputies. Someone obtained keys to the cell and it was opened. Solorio and Fernandez stood in the open doorway and again ordered Kalaaukahi to drop the Taser and release [redacted] After several commands and no compliance, Solorio and Fernandez fired their service weapons at Kalaaukahi. Kalaaukahi released [redacted] but remained standing. [redacted] crawled from the cell.

Statement of LASD Detective Roberto Solorio

Solorio was in his office when he heard yelling coming from the jail. Solorio walked toward the jail and noticed the flashing alarm lights had been activated indicating some type of emergency at the station. Solorio heard Badali yelling what he initially though was "Fire!" Solorio was joined by Fernandez on the way to the jail. Solorio then realized Badali was yelling, "Fight in the jail! Fight in the jail!" Solorio was about to place his service weapon into a gun locker box when Badali told him and Fernandez to "Bring your guns."

There was some blood on the ground inside the jail. Spracher was at cell 133. The door was closed and Spracher was attempting to pepper spray someone in the cell.[6] Solorio walked to the cell and observed Kalaaukahi and [redacted] in the cell. Kalaaukahi held onto [redacted] hair with one hand and held a Taser in his other hand. [redacted] was on her knees and not moving. Blood gushed from [redacted] head. Kalaaukahi dragged [redacted] around the cell by her hair like a rag doll. The light at the end of the Taser was on indicating that the safety was off and the weapon

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[4] This alarm was activated by [redacted] pressing the panic button.

[5] Deputies are prohibited from bringing firearms inside all jail facilities.

[6] Spracher advised investigators that the pepper spray did not deploy.

was ready to use. Cables dropped from the Taser toward [redacted] Solorio believed that Kalaaukahi was actively tasing [redacted]

Solorio could not open the locked cell door. Spracher repeatedly ordered Kalaaukahi to release [redacted] Kalaaukahi refused to comply. Instead, he pointed the Taser back and forth between [redacted] and the deputies outside the cell. Solorio yelled for the keys. Eventually, a set of keys were brought to the scene and the cell door was opened. Kalaaukahi pointed the Taser toward Solorio. Kalaaukahi still had a full grip on [redacted] hair and was shaking her. [redacted] was on her knees and leaning forward. Blood continued to pour from [redacted] onto the cell floor. Solorio feared that [redacted] was either dead or dying. Solorio may have ordered Kalaaukahi to release [redacted] one more time, to no avail. Solorio fired three rounds at Kalaaukahi to stop him from harming [redacted] any further.

Solorio struck Kalaaukahi in the chest and left bicep. He heard another gunshot behind him and to his right. [redacted] was either dragged from the cell or crawled out on her own. Kalaaukahi remained standing inside the cell. Deputies closed the door and leaned against it as Kalaaukahi tried to push it open from the inside.

Statement of Deputy Nicholas Fernandez

Fernandez was in the report writing room when he heard the station alarm and yelling coming from the jail. Fernandez intercepted Solorio en route. Fernandez was about to place his service weapon in a locker when Badali instructed them to enter the jail with their firearms. Fernandez realized there must be a life-threatening situation for Badali to circumvent the policy prohibiting firearms in the jail.

Fernandez entered the jail and approached cell 133. He observed Kalaaukahi holding [redacted] by the hair. Kalaaukahi was substantially larger than [redacted] face was pointed toward the ground into a pool of blood. Fernandez heard a vague whining coming from [redacted] Kalaaukahi had a Taser pointed at [redacted] head and wires were wrapped around her head and neck. [redacted] was motionless and Fernandez thought Kalaaukahi was killing her.

Someone ordered Kalaaukahi to let [redacted] go while others tried to open the cell door. Pepper spray was ineffective. Fernandez and Solorio drew their service weapons and pointed them at Kalaaukahi. The deputies ordered Kalaaukahi to release [redacted] multiple times. He did not comply. Kalaaukahi pointed the Taser toward Fernandez. The red laser sight landed between his eyes. [redacted] remained limp and blood continued to pour from her head. Fernandez thought she was dying. Fernandez fired one round at Kalaaukahi to stop him and save [redacted] Kalaaukahi released [redacted] and Fernandez believes [redacted] crawled from the cell.

Injuries to [redacted]

[redacted] was transported to Long Beach Memorial Hospital. [redacted] sustained a fracture to the bridge of her nose and lacerations to the corner of both eyes. She also sustained a concussion, a bone bruise to her knee and a tear to the tendon or ligament of her right wrist. Both eyes were blackened, there was swelling to her face and a large bump to the back of her head.



Photograph taken immediately after the assault.



Photograph taken at the hospital.



Photograph taken August 15, 2018

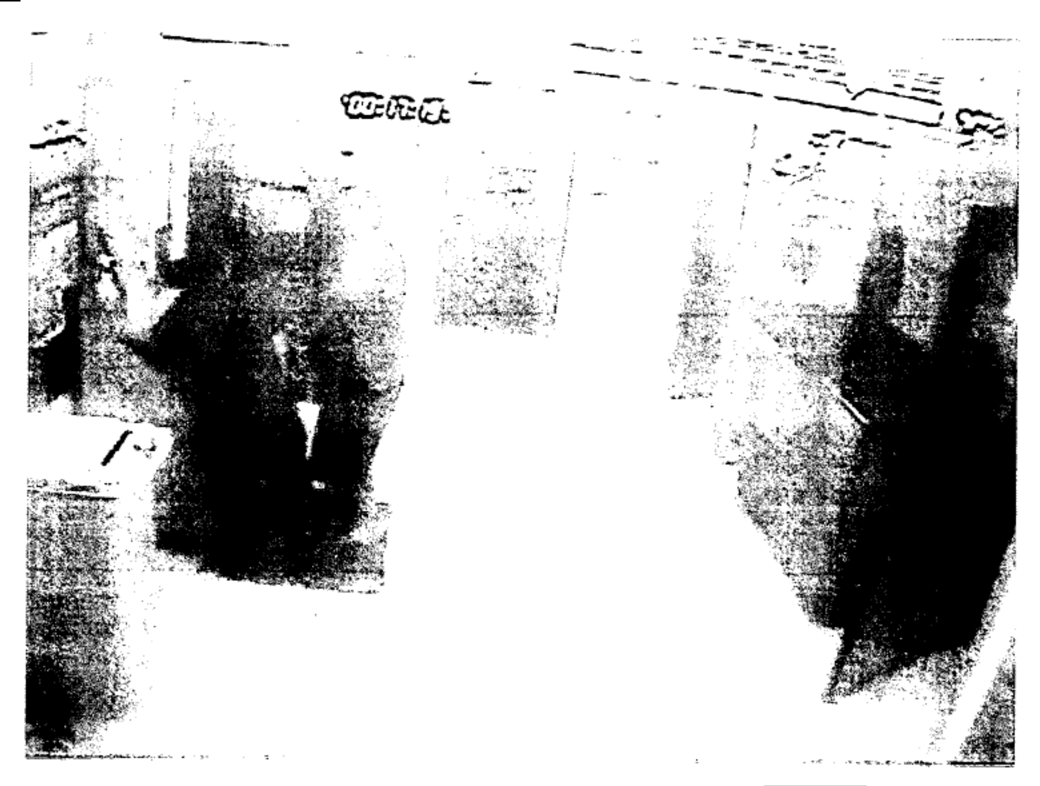
Video Surveillance Footage

Video footage of the assault on [redacted] and the officer involved shooting were captured by cameras focused on the Live Scan machine and inside cell 133.

1. Live Scan Camera

[redacted] walks to cell 133 and opens the door. [redacted] walks back to the Live Scan machine. Kalaaukahi exits the cell and follows [redacted] to the machine. [redacted] begins scanning Kalaaukahi's right hand. During the scanning, Kalaaukahi looks around the jail, draws his right arm back and punches [redacted] in the face. [redacted] flies backward and lands on her back. Kalaaukahi grabs [redacted] left foot and drags her along the ground while pulling the Taser holster from her left leg. As Kalaaukahi removes the Taser from the holster, [redacted] leaps toward the panic button on the wall. Kalaaukahi follows [redacted] with the Taser in his right hand, and grabs her by the hair. Kalaaukahi drags [redacted] into cell 133 and shuts the door.

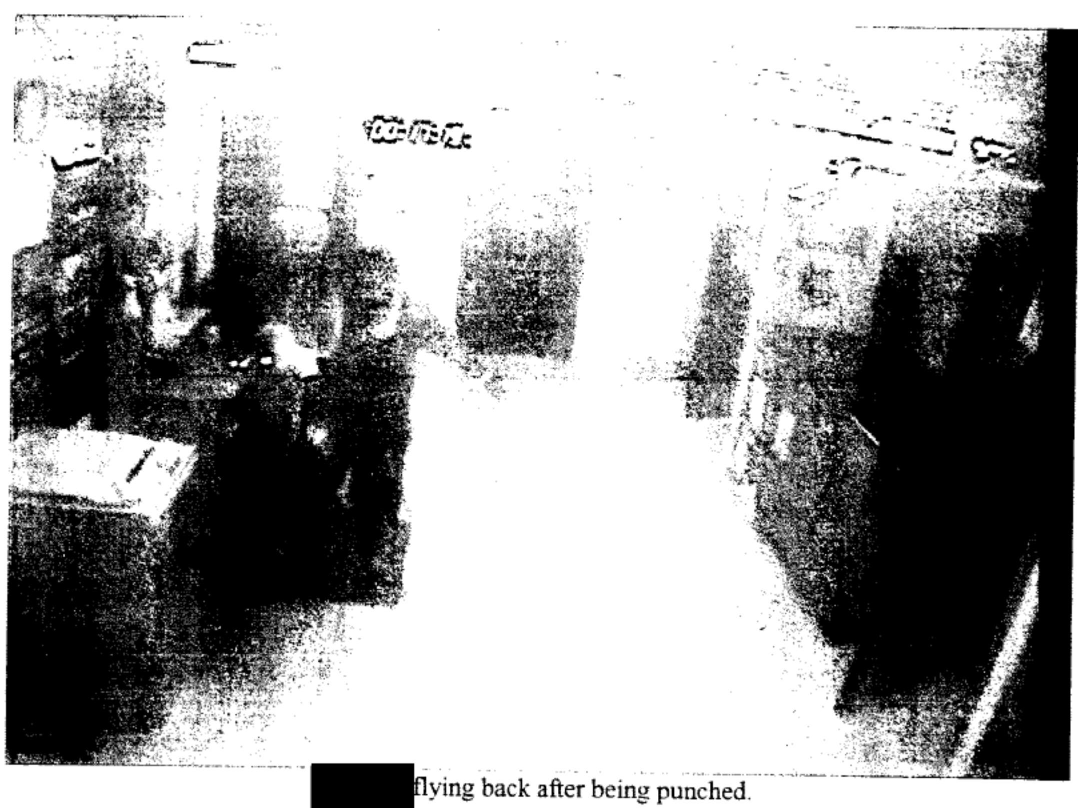
Badali arrives in the jail seven seconds later. Badali is followed by several deputies, including Spracher. Badali looks into cell 133 and immediately jumps back. Baldali momentarily leaves the jail, then returns and hands Spracher pepper spray. Spracher points the canister into cell 133. As Spracher attempts to pepper spray Kalaaukahi, Badali leaves the jail a second time and returns with Solorio and Fernandez. Solorio and Fernandez walk toward cell 133 and point their service weapons into the cell. The entire time the deputies are present, the dot from the Taser's red laser sight can be seen moving on the deputies standing in front of the cell. The cell door is eventually opened. Moments later, Solorio and Fernandez fire their weapons into the cell. [redacted] crawls from the cell and the cell door is closed.



Kalaaukahi begins to draw his right arm back to punch [redacted]



Kalaaukahi punching [redacted]



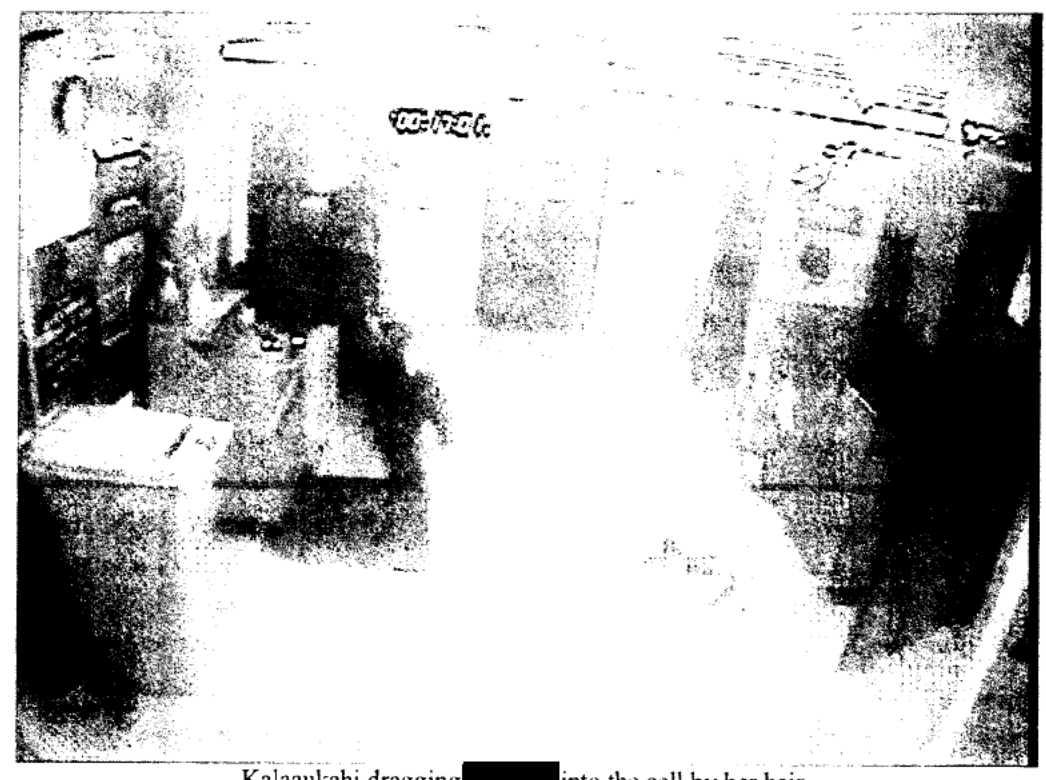
[redacted] flying back after being punched.



Kalaaukahi dragging [redacted] while removing the Taser holster.



[redacted] hitting the panic button. Kalaaukahi chasing her with the Taser in his right hand.



Kalaaukahi dragging [redacted] into the cell by her hair.

2. Cell 133 Camera

The camera in cell 133 does not capture the front of the cell or cell door. The camera shows Kalaaukahi dragging [redacted] to the back of the cell by the hair. Kalaaukahi is holding the Taser in his left hand. [redacted] was inside the cell for approximately 51 seconds. Kalaaukahi repeatedly drags [redacted] from the front to the back of the cell by her hair. Kalaaukahi drags [redacted] to the back of cell shortly before the shooting. Kalaaukahi is pointing the Taser toward the front of the cell when he is shot. The Taser light is visible and the red laser sight can be seen on the floor when Kalaaukahi points it down. Kalaaukahi crouches down after being shot then immediately stands up and walks to the front of the cell. [redacted] can be seen crawling on her hands and knees toward the cell door.



Kalaaukahi holding [redacted] at the back of the cell.



Kalaaukahi pointing the Taser toward deputies. The Taser light is activated.



Kalaaukahi immediately before being shot.



Kalaaukahi immediately after being shot.

Arrest of Kalaaukahi

Deputies shut the door of cell 133 after [redacted] crawled to safety. Kalaaukahi remained inside the cell, armed with the Taser. Deputies had difficulty operating the locking mechanism on the cell door and had to physically hold the door closed. Kalaaukahi attempted to push the door open from inside the cell. Deputies were eventually able to lock the cell door. Kalaaukahi

ignored multiple orders to drop the Taser and surrender. Deputy [redacted] tased Kalaaukahi one time, Kalaaukahi went to the cell floor, dropping the Taser.[7] Deputies entered the cell and Kalaaukahi was taken into custody.

Statement of James Kalaaukahi

Kalaaukahi was transported to Long Beach Memorial Hospital and treated for his gunshot wounds. Kalaaukahi was interviewed twice in the hospital on August 11, 2018. Kalaaukahi waived his Miranda rights before speaking with investigators.

Kalaaukahi told investigators that his life was in danger from individuals he called "chaperones" who were being let into the jail to kill people. The chaperones had already killed three to four people. Kalaaukahi stated that if he did not escape from the jail, he would die. Kalaaukahi admitted punching [redacted] in the face and taking her Taser in an attempt to escape. When he realized he could not exit the jail, he dragged her into the cell by her hair. He also admitted pointing the Taser at the responding deputies. Kalaaukahi refused to comply with the deputies' orders because he was in fear for his life. Kalaaukahi said that his life was more important than [redacted] and he only hit her to save his life.[8]

Criminal Charges

Kalaaukahi was charged in felony complaint VA148474 with assault upon a custodial officer, kidnapping, false imprisonment of a hostage, escape by force or violence, personal infliction of great bodily injury and taking a vehicle without consent. On August 1, 2019, a doubt was declared regarding Kalaaukahi's mental competency to stand trial pursuant to Penal Code section 1368. Criminal proceedings have been suspended and a status update has been scheduled for October 28, 2019.

LEGAL ANALYSIS

The use of deadly force in self-defense or in defense of another is justifiable if the person claiming the right actually and reasonably believed (1) that he or the person he was defending was in imminent danger of being killed or suffering great bodily injury, (2) that the immediate use of force was necessary to defend against that danger, and (3) that he used no more force than was reasonably necessary to defend against that danger. See, *CALCRIM No. 505*.

A police officer may use reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code section 835a. An officer "may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to

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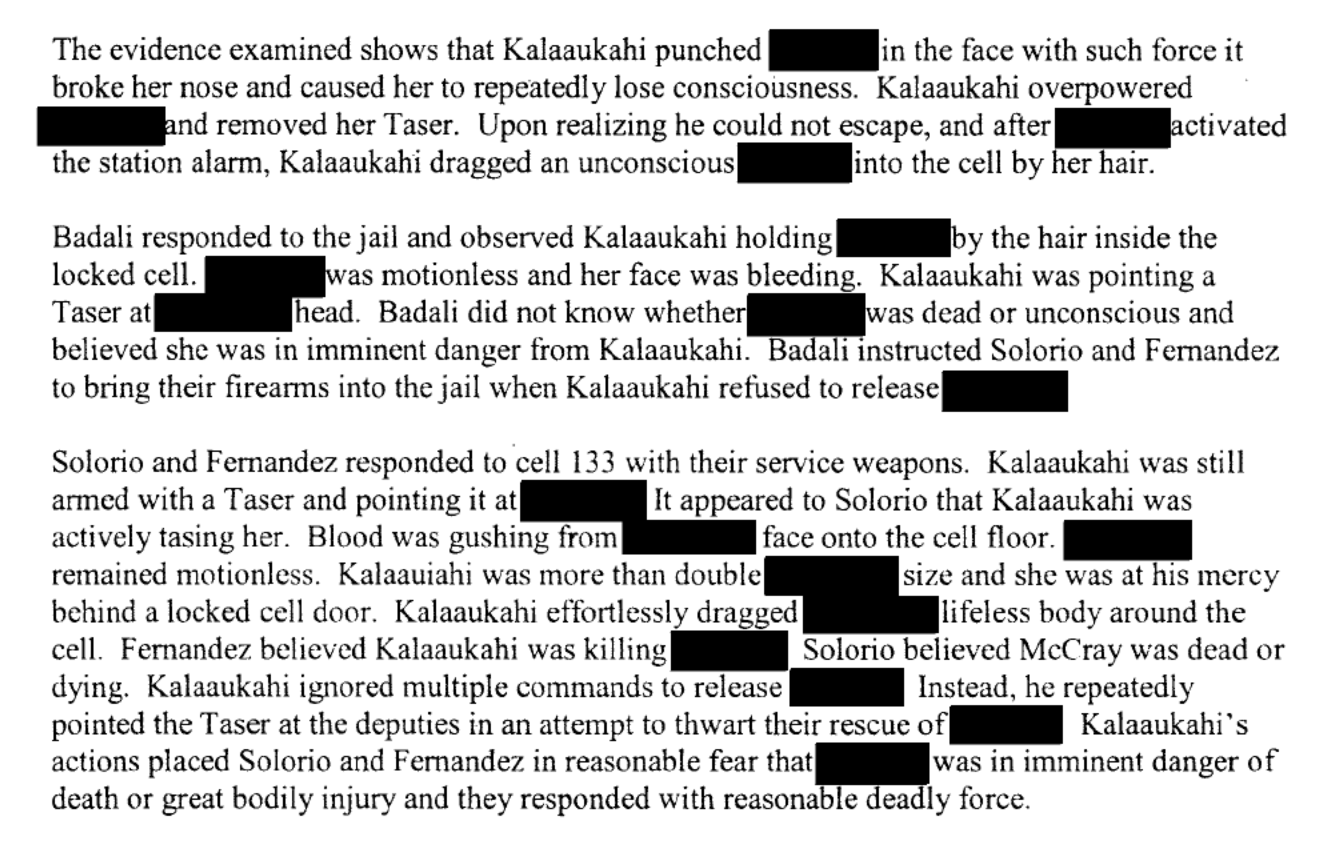
[7] Surveillance video shows that [redacted] tased Kalaaukahi approximately one minute and 45 seconds after the deputy involved shooting.

[8] Blood taken from Kalaaukahi in the emergency room was analyzed by a LASD Scientific Services Bureau criminalist and determined to contain 52 ng/ml of methamphetamine. Investigators spoke with Kalaaukahi's [redacted] who advised that Kalaaukahi had been acting strange the past several weeks and he suspected it was due to methamphetamine use.

the officer likely to inflict great bodily injury upon himself or those acting with him." *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146.

In evaluating whether a police officer's use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight… The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

CONCLUSION



The evidence examined shows that Kalaaukahi punched [redacted] in the face with such force it broke her nose and caused her to repeatedly lose consciousness. Kalaaukahi overpowered [redacted] and removed her Taser. Upon realizing he could not escape, and after [redacted] activated the station alarm, Kalaaukahi dragged an unconscious [redacted] into the cell by her hair.

Badali responded to the jail and observed Kalaaukahi holding [redacted] by the hair inside the locked cell. [redacted] was motionless and her face was bleeding. Kalaaukahi was pointing a Taser at [redacted] head. Badali did not know whether [redacted] was dead or unconscious and believed she was in imminent danger from Kalaaukahi. Badali instructed Solorio and Fernandez to bring their firearms into the jail when Kalaaukahi refused to release [redacted]

Solorio and Fernandez responded to cell 133 with their service weapons. Kalaaukahi was still armed with a Taser and pointing it at [redacted] It appeared to Solorio that Kalaaukahi was actively tasing her. Blood was gushing from [redacted] face onto the cell floor. [redacted] remained motionless. Kalaauiahi was more than double [redacted] size and she was at his mercy behind a locked cell door. Kalaaukahi effortlessly dragged [redacted] lifeless body around the cell. Fernandez believed Kalaaukahi was killing [redacted] Solorio believed McCray was dead or dying. Kalaaukahi ignored multiple commands to release [redacted] Instead, he repeatedly pointed the Taser at the deputies in an attempt to thwart their rescue of [redacted] Kalaaukahi's actions placed Solorio and Fernandez in reasonable fear that [redacted] was in imminent danger of death or great bodily injury and they responded with reasonable deadly force.

We find that Detective Solorio and Deputy Fernandez acted lawfully in defense of another when they used deadly force against James Kalaaukahi. We are therefore closing our file and will take no further action in this matter.